

# **EXHIBIT 4**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

WSOU INVESTMENTS, LLC, d/b/a BRAZOS  
LICENSING AND DEVELOPMENT,  
Plaintiff,

v.

HEWLETT PACKARD ENTERPRISE  
COMPANY,  
Defendant.

Civil Action No. 6:20-cv-00729-ADA

**HEWLETT PACKARD ENTERPRISE COMPANY'S  
DISCLOSURE OF EXTRINSIC EVIDENCE**

Pursuant to the Court's Order, Dkt. No. 23, Defendant Hewlett Packard Enterprise Company ("Defendant" or "HPE"), by and through its counsel, hereby serves this disclosure of extrinsic evidence that it may use in connection with the claim constructions of disputed claim terms in the above-captioned case on Plaintiff WSOU Investments, LLC ("Plaintiff").

HPE may rely on written and/or live testimony from an expert witness, Dr. Paul Min. Dr. Min may provide background and/or tutorial information about the relevant field of technology and the background knowledge and understanding of a person of ordinary skill in the art. He may also provide opinions regarding the indefiniteness of certain claim terms. Should Plaintiff identify in its disclosures exchanged today or otherwise attempt to submit or rely upon expert testimony/opinions related to claim construction at any time, HPE reserves the right to submit expert testimony/opinions in rebuttal from Dr. Min. The substance of such rebuttal expert testimony/opinions cannot be known (and thus cannot be disclosed) unless and until Plaintiff discloses expert testimony/opinions, if any, such that HPE and Dr. Min know what to potentially rebut.

Subject to the foregoing, HPE discloses the following extrinsic evidence:

- ISO/IEC 10589:2002 - Information technology — Telecommunications and information exchange between systems — Intermediate System to Intermediate System intra-domain routing information exchange protocol for use in conjunction with the protocol for providing the connectionless-mode network service (ISO 8473), Second Edition, November 15, 2002.

The above-listed item of extrinsic evidence is being produced to Plaintiff in tandem with this disclosure.

In addition to these materials, HPE reserves the right (1) to identify, produce, and rely upon additional extrinsic evidence in response to any extrinsic evidence identified, produced,

referenced, or relied upon by Plaintiff, and (2) to rely upon and use any extrinsic evidence identified, produced, referenced, or relied upon by Plaintiff.<sup>1</sup>

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<sup>1</sup> HPE notes that the prosecution histories of the asserted patent and the prior art cited therein are considered intrinsic evidence and therefore are not listed herein. If Plaintiff disagrees and believes that any such materials need to be listed herein, HPE requests that Plaintiff promptly notify HPE of that, so the parties can meet and confer and bring the issue to the Court's attention now if unable to reach agreement.

Date: February 19, 2021

Respectfully submitted,

By: /s/ Michael R. Franzinger

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**COUNSEL FOR DEFENDANT  
HEWLETT PACKARD ENTERPRISE COMPANY**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **HEWLETT PACKARD ENTERPRISE COMPANY'S DISCLOSURE OF EXTRINSIC EVIDENCE** was served on the following parties this 19th day of February 2021, in the manner indicated below:

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/s/ Michael R. Franzinger

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